

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CHAMBERS OF
ANN D. MONTGOMERY
DISTRICT JUDGE

13W U.S. COURTHOUSE
MINNEAPOLIS, MINNESOTA 55415
612 664 5090



September 12, 2012

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VIA CM/ECF

**RE: Reshare Commerce, LLC v. State Farm Mutual Automobile Insurance Co., et al.
CIVIL CASE NO. 11-2617 ADM/JJG**

**Reshare Commerce, LLC v. The Antioch Co., et al.
CIVIL CASE NO. 11-2616 MJD/LIB
Reshare Commerce, LLC v. Dotfit, LLC, et al.
CIVIL CASE NO. 11-3010 JNE/TNL**

Counsel:

I have reviewed the Insurance Defendants' Letter [11-cv-2617 Docket No. 75] and Plaintiff's Letter [11-cv-2617 Docket No. 76] and have determined that I will hear the summary judgment motions after my ruling on the consolidated claim construction matters to be argued on October 26, 2012. The parties in this matter (11-2617) can secure a dispositive motion hearing date after the issuance of the claim construction order.

I have also reviewed the proposed schedule for claim construction briefs — on which both parties agree — and I find that schedule appropriate. Accordingly, the parties are to file their opening claim construction briefs on or before September 14, 2012, with their response briefs to be filed on or before October 5, 2012. No reply briefs will be filed in this matter. The claim construction hearing will occur on October 26, 2012 at 1:30 p.m. The routine 12,000 word

limit for claim construction briefs will not be extended. The Court intends to rule expeditiously after the hearing.

The parties are again reminded that the three cases — Civil Case Nos. 11-cv-2617 (ADM/JJG), 11-cv-2616 (MJD/LIB), and 11-cv-3010 (JNE/TNL) — are consolidated before this Court solely for the purpose of claim construction on the disputed terms of the '641 patent. See June 19, 2012 Order [11-cv-2617 Docket No. 70]. Dispositive motions in the other cases will be heard by the assigned judge in accordance with their scheduling orders.

Very truly yours,

s/Ann D. Montgomery

Ann D. Montgomery